IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3313 OF 2006

Rahul Kulin Kothari ...Applicant

vs.

The Cotton Textiles Export Promotion
Council and another ...Respondents

Mr.Avinash Fatangare i/b Mr.Prashant D. Jadhav for the Applicant
Mr.A.S.Shitole, A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 15,2006.

P.C.:

1. Heard Advocate appearing for the Applicant. The challenge in this Application under section 482 of the Code of Criminal Procedure, 1973 is to the order by which the process was issued by the learned Magistrate under section 138 read with section 141 of the Negotiable Instruments Act, 1881.

2. In view of the decision of this Court in case of V.K.Jain and others vs. Pratap Padode and another reported in 2005 (3) Mh.L.J. page 778, remedy of filing a Revision Application is available to the Applicant.

3. In view of this position, this Application under section 482 of the said Code is not entertained and the same is rejected. Notwithstanding rejection of this Application, it will be open for the Applicant to avail of the remedy of filing a Revision Application before the appropriate Sessions Court.

JUDGE